

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

----- X

**In Re: Methyl Tertiary Butyl Ether
("MTBE") Products Liability Litigation**

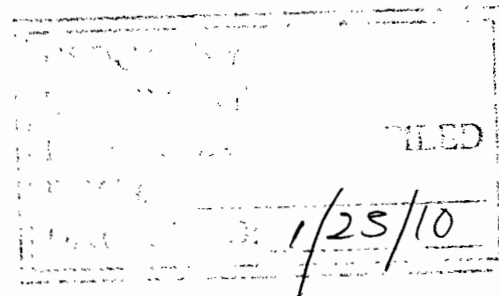
**Master File No. 1:00-1898
MDL No. 1358 (SAS)
M21-88**

----- X
This Document Relates To:

----- X

*Quincy Community Services District v. Atlantic
Richfield Co., et al., 04 Civ. 4970*

----- X



**STIPULATION AND ORDER OF DISMISSAL
WITH PREJUDICE UNDER FED. R. CIV. P. 41**

The Plaintiff and the settling Defendants, Toms Sierra Company, Inc. and Sierra Energy, LLC ("Settling Defendants"), have advised the Court that they have resolved the matters between them and agree to the entry of this Stipulated Order of Dismissal With Prejudice of the claims against Settling Defendants, as indicated by the signatures of the respective counsel below. This Court finds that this Stipulated Order of Dismissal With Prejudice should be entered, with the findings included below.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED as follows:

1. This Court has jurisdiction over the Parties to the Stipulation and over the subject matter of this action. The Parties to this Stipulation have advised the Court of their agreement to settle this matter pursuant to a Settlement Agreement and Release and this Stipulated Order of Dismissal With Prejudice.

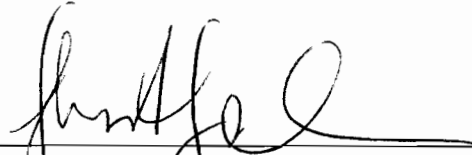
In Re: Methyl Tertiary Butyl Ether ("MTBE") Products Liability Litigation

Doc. 2995

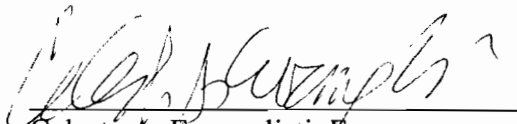
2. The parties to this Stipulation consent to the dismissal of this action as to Settling Defendants only, including all claims and counterclaims, with prejudice.
3. Each party shall bear its own cost and attorneys' fees.

SO ORDERED:

Date: 1/25/10


HONORABLE SHIRA A. SCHEINDLIN
UNITED STATE DISTRICT JUDGE

AGREED TO AND ACCEPTED BY:


Celeste A. Evangelisti, Esq.
BARON & BUDD, P.C.

Counsel for Plaintiff

M. Taylor Florence
BULLIVANT HOUSER BAILEY PC

***Counsel for Settling Defendants Toms
Sierra Company Inc., and Sierra Energy, LLC***

2. The parties to this Stipulation consent to the dismissal of this action as to Settling Defendants only, including all claims and counterclaims, with prejudice.
3. Each party shall bear its own cost and attorneys' fees.

Date: _____

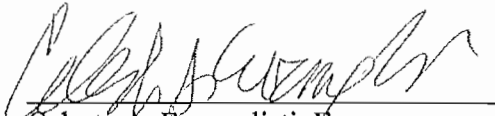
1/25/10

SO ORDERED:



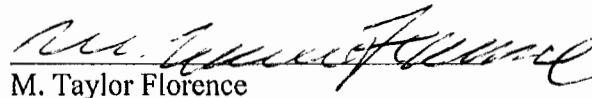
HONORABLE SHIRA A. SCHEINDLIN
UNITED STATE DISTRICT JUDGE

AGREED TO AND ACCEPTED BY:



Celeste A. Evangelisti, Esq.
BARON & BUDD, P.C.

Counsel for Plaintiff



M. Taylor Florence
BULLIVANT HOUSER BAILEY PC

*Counsel for Settling Defendants Toms
Sierra Company Inc., and Sierra Energy, LLC*